

REMARKS

Applicants respectfully request consideration of the subject application as amended herein. This Amendment is submitted in response to the Office Action mailed October 4, 2005. Claims 1-40 are rejected. In this Amendment, claim 20 has been amended.

Claim Objections

Applicants have amended claim 20 to overcome Examiner's objection.

Rejections under 35 U.S.C. § 103(a)

The Examiner has rejected claims 1, 5, 6, 10, 11, 15, 16, 20, 21, 25, 26, 30, 31, 35, 36 and 40 under 35 U.S.C. § 103(a) as being unpatentable over Mauger (U.S. Patent No. 6,882,643) in view of Lundback (U.S. Patent No. 6,912,590). The Examiner has rejected claims 2, 3-4, 7-9, 12-14, 17-19, 22-24, 27-29, 32-34 and 37-39 under 35 U.S.C. § 103(a) as being unpatentable over Mauger and Lundback and further in view of Rekhter (U.S. Patent No. 6,339,595). As discussed below, the pending claims are patentable over the above references.

Applicants respectfully submit that Mauger and Lundback, either individually or in combination, do not teach or suggest each and every limitation of independent claims 1, 6, 11, 16, 21, 26, 31 and 36. Mauger discloses:

In FIG. 4 two options for transferring ATM over MPLS are shown.... If it is desired to use ATM addressing and ATM maintenance then the full ATM cell should be carried transparently, if it is desired to only use the ATM Adaptation layer functions then the cell payload is all that is required. For the PSTN/ISDN application then ATM Adaptation layers 1 or 2 are all that is required. For the G729 example quoted above the AAL2 adaptation overhead is 3 bytes as compared with the 40 bytes of the IP Real-time protocol stack.

(Mauger, col. 8, lines 41-54) (emphasis added).

For Leased-lines it is likely that ATM maintenance messaging would be required in order to measure error rate and monitor continuity. In this case the full ATM cell should be carried over the MPLS network by attachment of an appropriate label to the cell. A further embodiment comprising a network architecture for ATM services is illustrated in FIG. 7. In this arrangement, the MPLS network is not involved in dynamic ATM connection establishment, it simply provides a tunnelled transport capability over which the ATM service is provided transparently via ATM connection control 71a, 71b. ATM signalling is also carried transparently between ATM edge switches 72a, 72b.

(Mauger, col. 10, lines 50-62) (emphasis added).

Thus, Mauger discloses ATM **AAL1 or AAL2** being transferred over MPLS. In contrast, in independent claims 1, 6, 11, 16, 21, 26, 31 and 36, applicants recite **AAL5**. Thus, Mauger does not teach or suggest an MPLS packet generated from an enhanced AAL5 packet, and routed over an MPLS network, as claimed.

Lundback does not supply the missing limitations. Lundback states only that the AAL5 is used to transport IP packets over ATM and those IP packets are encapsulated into AAL5 Service Data Units. Lundback is silent about and therefore, does not teach or suggest an MPLS packet generated from an enhanced AAL5 packet, and routed over an MPLS network, as claimed.

Applicants further submit that Rekhter does not supply the missing limitations. Rekhter discloses peer-model support for virtual private networks with potentially overlapping addresses. Rekhter is silent about and therefore, does not teach or suggest an MPLS packet generated from an enhanced AAL5 packet, and routed over an MPLS network, as claimed.

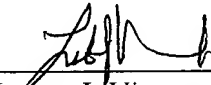
As none of Mauger, Lundback and Rekhter teach each and every limitation of independent claims 1, 6, 11, 16, 21, 26, 31 and 36, applicants respectfully submit that independent claims 1, 6, 11, 16, 21, 26, 31 and 36, and associated dependent claims are not obvious over the references.

It is respectfully submitted that in view of the arguments set forth herein, the applicable rejections and objections have been overcome. If there are any additional charges, please charge Deposit Account No. 02-2666 for any fee deficiency that may be due.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

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By: 
Lester J. Vincent
Reg. No. 31,460

12400 Wilshire Boulevard
Seventh Floor
Los Angeles, California 90025
(408) 720-8300